P E Rev. 03/1992

Attorney Docket No. PP00037.202 (CHIR-045/07US)

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on 4803

By: Yang Tang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of COUSENS et al.

Serial No.: 09/931,216

Examiner:

Unassigned

Confirmation No.:

3820

Art Unit:

1631

Filed:

August 16, 2001

For:

EXPRESSION USING FUSED GENES PROVIDING FOR PROTEIN

PRODUCT

Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

[x]	In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.						
[]	In accordance with 37 C.F.R. §1.97(c), also enclosed is:						
	[] the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or						
	[] a statement as specified in 37 C.F.R. §1.97(e).						
[]	In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.						

- [] Check No. __ in the amount of \$__ for the total fee is attached.
- [x] A return receipt postcard is also enclosed.
- Please charge \$___ to Deposit Account No. (PA) 03-3117 for the total fee. This paper is being submitted in duplicate.

Attorney Docket No. PP00037.202 (CHIR-045/07US) Serial No. 09/931,216

Page 2

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Please direct all further written communications in this application to:

Lisa E. Alexander **Chiron Corporation** Intellectual Property – R440 P.O. Box 8097 Emeryville, CA 94662-8097

Respectfully submitted, COOLEY GODWARD LLP

Chiron Corporation Intellectual Property - R440 P.O. Box 8097 Emeryville, CA 94662-8097

Tel: (650) 843-5000

Fax: (650) 857-0663

By:

Dahna S. Pasternak Reg. No. 41,411

PP00037.202 (CHIR-045/07US) Attorney Docket No.

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class, mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on 4/8/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COUSENS et al. In re application of

Serial No.:

09/931,216

Examiner:

Unassigned

Confirmation No.:

3820

Art Unit:

1631

Filed:

August 16, 2001

For:

EXPRESSION USING FUSED GENES PROVIDING FOR

PROTEIN PRODUCT

Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of publication C1 cited in the attached [X]Form PTO/SB/08 is enclosed.
- No copies of the publications A1-9, B1-4, C2-6 listed on the attached [X] Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 08/449,070 to which the aboveidentified application claims priority under 35 U.S.C. §120.
- Publication(s) ___ listed on the attached Form PTO/SB/08A were cited in a Π foreign search or examination report corresponding to ___ application serial no. ___ and mailed on _ _.
- Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 []of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

641396 v1/PA DQWK01!.DOC

Attorney Docket No. PP00037.202 (CHIR-045/07US) Serial No. 09/931,216

Page 2

[]	Enclosed is a copy of a non-English publication(s) English language publication (copy enclosed) claims priority from this non-English
	publication.

- [] Enclosed is an explanation of non-English publication(s) ___ for which an English translation is not available.
- [] Enclosed is an English translation of non-English publication(s) __cited in the attached Form PTO/SB/08A.
- [] Enclosed is a copy of pending patent Application Serial No. ___.

This Information Disclosure Statement is filed within any one of the following time periods:

- [] within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- [] within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- [] before the mailing date of a first office action on the merits; or
- [X] before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Please direct all further written communications in this application to:

Lisa E. Alexander Chiron Corporation Intellectual Property – R440 P.O. Box 8097 Emeryville, CA 94662-8097

Dated: april 8, 2003

Respectfully submitted, COOLEY GODWARD LLP

Chiron Corporation Intellectual Property – R440 P.O. Box 8097

Emeryville, CA 94662-8097 Tel: (650) 843-5000

Fax: (650) 857-0663

By:

Dahna S. Pasternak Reg. No. 41,411

· AIPE
Please type a plus sign (+) inside this box → +
APR 1 7 2003

١ ـ	5.7	F				
etity form 14	465 /PT	0	Complete if Known			
TRADE	Marn't	O	Application Number	09/931,216		
FORMATIO	ON DI	SCLOSURE	Filing Date	August 16, 2001		
			First Named Inventor	COUSENS .		
			Group Art Unit	1631		
(use as many s	heets a	s necessary)	Examiner Name	Unassigned		
1	of	2	Attorney Docket Number	PP00037.202 (CHIR-045/07US)		
	FORMATIC TATEMENT	FORMATION DI FATEMENT BY A (use as many sheets a.	FORMATION DISCLOSURE TATEMENT BY APPLICANT (use as many sheets as necessary) 1 of 2	FORMATION DISCLOSURE Filing Date First Named Inventor Group Art Unit (use as many sheets as necessary) Filing Date First Named Inventor Group Art Unit Examiner Name	Application Number 09/931,216 FORMATION DISCLOSURE Filing Date August 16, 2001 FIRST Named Inventor COUSENS Group Art Unit 1631 (use as many sheets as necessary) Examiner Name Unassigned	

	<u> </u>		U.S. Patent Do	ocument			D. CD. Wasting	-£C:4-4
Examiner Initials*	Cite No.1	1	Number	Kind Code		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	
Initials	Al	4,366,2	746	T		Riggs	12-24-1982	
	A2	4,469,6				Baxter et al.	09-04-1984	
	A3	4,588,6		 		Brake	05-13-1986	
	A4	4,751,1				Cousens et al.	06-14-1988	
	A5	5,093,2		+		Bachmair et al.	03-03-1992	
		5,132,2				Bachmair et al.	07-21-1992	
	A6 A7	5,196,3				Bachmair et al.	03-23-1993	
		5,212,0		 		Baker et al.	05-18-1993	
	A8					Liu et al.	11-16-1993	
	A9	5,262,3		+		Liu et ai.		
				·			2	
							+ ~ >	- []
							 英 3	~
								\rightarrow
	ļ							-++
							20 00	
								_<
	<u> </u>						00 03	П
		<u> </u>						- i -
,				FOF	REIGN	PATENT DOCUMENTS	0	
Examiner	Cite	Foreign Patent Document					Date of Publication	
Initials*	No.1	Office ³	3 Number ⁴		Code ⁵	Name of Patentee or Applicant of Cited Document	of Cited Document MM-DD-YYYY	T ⁶
	B1	EP	0 095 361	Α	X1	Eli Lilly and Company	11-30-1983	
	B2	EP	0 109 560	A	12	Suntory Kabushiki Kaisha	05-30-1984	
· · ·	B3	EP	0 164 556	T A	12	Chiron Corporation	12-18-1985	
***		EP	0 196 056	A	12	Chiron Corporation	10-01-1986	
	B4			1				
	B4							
	B4						-	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Unique citation designation number.
 See attached Kinds of U.S. Patent Documents.
 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.

⁶⁴¹³⁹² v1/PA DQWG01!.DOC

PTO/SB/08A (08-00)

			<u>g</u>					
	P.		9		Complete if Known			
Substitute for 1771 1449B			Ý	Application Number	09/931,216			
				Filing Date	August 16, 2001			
INF	ORMATIC	DN DI	SCLOSURE	First Named Inventor	COUSENS			
STA	TEMENT	BY A	PPLICANT	Group Art Unit	1631			
(use as many sheets as necessary)			necessary)	Examiner Name	Unassigned			
Sheet	2	of	2	Attorney Docket Number	PP00037.202 (CHIR-045/07US)			

Examiner	Cite	OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book,	T ²
Initials*	No.1	magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	C1	CIECHANOVER et al., "Characterization of the heat-stable polypeptide of the ATP-dependent proteolytic system from reticulocytes," J. Biol. Chem. 255(16):7525-7528, 1980	
**	C2	ÖZKAYNAK et al., "The yeast ubiquitin gene: head-to-tail repeats encoding a polyubiquitin precursor protein," Nature 312:663-666, 1984	,
	C3	RATNER, "Protein expression in yeast," Biotechnology 7:1129-1133, 1989	
·	C4	SHERMAN et al., "Nucleotide sequence and expression of human chromosome 21-encoded superoxide dismutase mRNA," <i>Proc. Natl. Acad. Sci. USA</i> 80:5465-5469, 1983	
	C5	STULL et al., Pharmaceutical Research 12:465-483, 1995	
	C6	TUITE et al., "Regulated high efficiency expression of human interferon-alpha in Saccharomyces cerevisiae," EMBO Journal 1:603-608, 1982	퓼
		Journal 1:603-608, 1982	CEIV
		600/2900	VED
		•	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Unique citation designation number.
 Applicant is to place a check mark here if English language Translation attached.